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| DATE: April 30, 2003 | FILE: DODG:0044 Serial No.: 09/938,793 |
| TO: Torres, Melanie | COMPANY: U.S. Patent and Trademark Office |
| FROM: Ralph A. Graham | EXTENSION: (281) 970-4545 |
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NOTES/COMMENTS:

Please find attached a RCE, Preliminary Amendment, and Petition for Extension of Time for the above-referenced patent application.

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Official**GROUP 3600****CONFIDENTIALITY NOTE**

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PTO/SB/30 (08-00)

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|---|------------------------|-------------------------|
| Request for Continued Examination (RCE) TRANSMITTAL Subsection (b) of 35 U.S.C. § 1.32, effective May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995. See The American Inventors Protection Act of 1999 (AIPA) | Application Number | 09/938,793 |
| | Filing Date | August 24, 2001 |
| | First Named Inventor | Donald L. Nisley et al. |
| | Group Art Number | 3683 |
| | Examiner Name | Torres, Melanie |
| | Attorney Docket Number | 01RED25/YOD (DODG:0044) |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice Final Rule, 65 Fed. Reg. 50092 (Aug. 18, 2000); Interim Rule, 65 Fed. Reg. 14963 (Mar. 20, 2000); 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**

a. ☐ Previously submitted

i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
 (Any unentered amendment(s) referred to above will be entered).

ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

iii. ☐ Other _____

b. ☒ Enclosed

i. ☐ Amendment/Reply

ii. ☐ Affidavit(s)/Declaration(s)

iii. ☐ Information Disclosure Statement (IDS)

iv. ☒ Other Preliminary Amendment

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) (required))

b. ☐ Other _____

3. **Fee**

a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 01-0857; Order No. 01RED25/YOD (DODG:0044)

i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)

ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)

iii. ☐ Other _____

b. ☐ Check in the amount of \$ _____ enclosed.

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

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| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED | | | |
|---|---------------------|-----------------------------------|----------------|
| Name (Print/Type) | Ralph A. Graham | Registration No. (Attorney/Agent) | 47-607 |
| Signature | <i>R. A. Graham</i> | Date | April 30, 2003 |

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|---|---------------------|------|----------------|
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on: | | | |
| Name (Print/Type) | Carla Deblaw | Date | April 30, 2003 |
| Signature | <i>Carla Deblaw</i> | | |

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 09/17/2003
 01 FC:1801
 02 FC:1251

11/B
88
9/17/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Donald L. Nisley, et al.

Serial No.: 09/938,793

Filed: August 24, 2001

For: SEALING SYSTEM FOR BEARING
ASSEMBLY

www.pearsoned.com

Group Art Unit: 3683

Examiner: Torres, Melanie

Atty Docket: DODG:0044/YOD
01RE025

Assistant Commissioner
for Patents
Washington, D.C. 20231

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37 C.F.R. 1.8

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April 30, 2003
Date

231 on the date below.

Carla Deblaw

Carla Deblaw

Dear Sir:

PRELIMINARY AMENDMENT

Prior to calculation of the filing fees and to examination of the above-referenced application, please amend the application as follows:

IN THE CLAIMS

Please cancel claim ~~11~~ without prejudice.

Please amend claims 1, 2, 7, 13, and 22 as follows:

1. (Twice Amended) A bearing assembly, comprising:
a bearing insert;
a bearing housing adapted to house the bearing insert;
a cover removably securable to the bearing housing; and
a rotatable flinger secured to the cover, the rotatable flinger comprising: